

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA**

UNITED STATES OF AMERICA,

Plaintiff(s),

vs.

Victor Manuel Canedo-Reyna,

Defendant(s).

NO. CR 08-00040-TUC-FRZ (CRP)

ORDER

This matter was referred to the United States Magistrate Judge pursuant to 28 U.S.C. §636(b)(1)(B) and the local rules of practice of this Court for hearing and report and recommendation on Defendant's Motion to Dismiss Indictment. [9]

On June 2, 2008, Magistrate Judge Charles R. Pyle conducted a hearing and on July 3, 2008 issued his Report and Recommendation. [25] A copy was sent to all parties. Defendant filed his Objection to Report and Recommendation on July 21, 2008. [29] On August 8, 2008, the Government filed its Response to Defendant's objections [32] and on August 13, 2008, Defendant filed a Reply to Government's Response. [33]

The Court, having made an independent review of the record herein, orders as follows:

IT IS ORDERED that Defendant's Objections to the Report and Recommendation are **OVERRULED.**


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1 IT IS FURTHER ORDERED that Magistrate Judge Pyle's Report and
2 Recommendation is ACCEPTED and ADOPTED by this Court as the findings of fact and
3 conclusions of law in this matter.

4 IT IS FURTHER ORDERED that the Motion to Dismiss Indictment is DENIED.

5 DATED this 29th day of August, 2008.

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9 FRANK R. ZAPATA
United States District Judge